

RIMER & MATHEWSON LLP

INTELLECTUAL PROPERTY, BUSINESS AND RELATED CAUSES

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TTAB

Writer's Direct E-mail:
darren@rimermath.com

June 4, 2015

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Box TTAB

Re: Opposition No.: 91215100
Serial No.: 85/913,782
Mark: ST. PUCCHI
Our Reference: SACHD-001M

Dear Sir/Madam:

Enclosed for filing are the following:

1. Motion for Protective Order;
2. Proof of Service;
3. Certificate of Mailing; and
4. A postcard to acknowledge receipt.

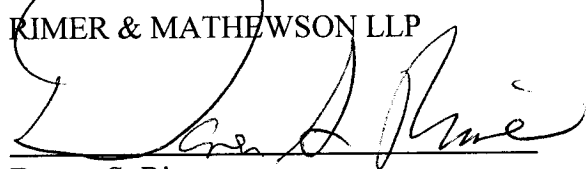
This letter is enclosed herewith in triplicate.

Respectfully submitted,

RIMER & MATHEWSON LLP

Date: June 4, 2015

By:


Darren S. Rimer
Counsel for Applicant



06-09-2015

RIMER & MATHEWSON LLP

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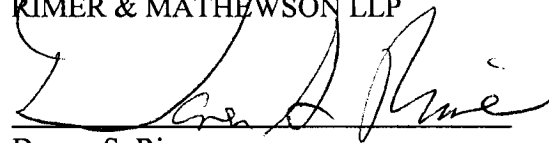
This letter is enclosed herewith in triplicate.

Respectfully submitted,

RIMER & MATHEWSON LLP

Date: June 4, 2015

By:



Darren S. Rimer
Counsel for Applicant

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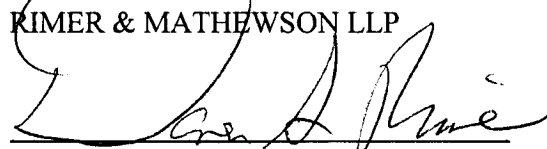
This letter is enclosed herewith in triplicate.

Respectfully submitted,

RIMER & MATHEWSON LLP

Date: June 4, 2015

By:


Darren S. Rimer
Counsel for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Emilio Pucci International Bv,)	Opposition No.: 91215100
)	
Opposer,)	Serial No.: 85/913,782
)	
vs.)	Mark: ST. PUCCHI
)	
Rani Sachdev,)	
)	
Applicant.)	
)	

MOTION FOR PROTECTIVE ORDER

Box TTAB
Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Dear Sir/Madam:

The Applicant hereby seeks a protective order from the Trademark Trial and Appeal Board concerning the Opposer's first set of requests for the production of documents and things, first set of interrogatories, and first set of requests for admissions to the Applicant. As shown in Exhibits A through C, Opposer has asked for a variety of unduly burdensome and overbroad categories of documents and information, many of which exceed the scope of discoverable information for this opposition proceeding. Moreover, the total of all interrogatories, including discrete subparts, appears to exceed 75. Applicant seeks an order precluding the discovery sought, or modifying the scope of the discovery requests to those which are reasonably calculated to lead to the discovery of

admissible evidence in connection with this trademark opposition proceeding.

Respectfully submitted,

RIMER & MATHEWSON LLP

Dated: 6/4/15

By: 

Darren S. Rimer
30021 Tomas, Suite 300
Rancho Santa Margarita, CA 92688
(949) 367-1541

Counsel for Applicant

EXHIBIT A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

EMILIO PUCCI INTERNATIONAL BV, Opposer, v. RANI SACHDEV, Applicant.	Opposition No.: 91215100 Serial No.: 85913782 Mark: ST. PUCCHI Filing Date: April 24, 2013
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**OPPOSER'S FIRST SET OF REQUESTS FOR
THE PRODUCTION OF DOCUMENTS AND THINGS**

Pursuant to Rule 34 of the Federal Rules of Civil Procedure and Rules 2.116 and 2.120 of the Trademark Rules of Practice, Emilio Pucci International B.V. ("Opposer") serves this First Set of Requests for the Production of Documents and Things on Rani Sachdev ("Applicant") and requests that Applicant produce the requested documents at the offices of Opposer's counsel, FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., 901 New York Avenue, N.W., Washington, DC 20001-4413, within thirty (30) days of service.

DEFINITIONS AND INSTRUCTIONS

Opposer incorporates by reference the definitions and instructions set forth in Opposer's First Set of Interrogatories to Applicant.

REQUESTS FOR THE PRODUCTION OF DOCUMENTS AND THINGS

1. All documents identified or requested to be identified in Opposer's First Set of Interrogatories to Applicant.
2. All documents referring or relating to Applicant's selection and clearance of Applicant's Mark, including but not limited to, searches, investigations, surveys, studies, research, polls, reports, and opinions.
3. Documents sufficient to identify each Product that has been marketed, distributed, and sold, and/or has ever intended to be marketed, distributed, and sold under or in connection with Applicant's Mark.
4. Documents sufficient to identify all retail stores, including but not limited to brick and mortar retail stores, department stores, warehouse stores, discount stores, and online retail websites that market or sell, and or intend to market or sell Applicant's Products.
5. Documents sufficient to identify all retail stores, including but not limited to brick and mortar retail stores, department stores, warehouse stores, discount stores, and online retail websites that Applicant has contacted to market or sell Applicant's Products.
6. Documents sufficient to identify the date of first use in commerce of Applicant's Mark in connection with each of Applicant's Products.
7. Representative advertising, promotional, and marketing materials in each media utilized (e.g., print, television, radio, Internet, billboards) showing Applicant's Mark.

8. Documents sufficient to identify all Internet websites and blogs owned or operated by or on behalf of Applicant that contain or display Applicant's Mark or refer or relate to Applicant's Products, and representative pages from each such Internet website(s) or blog(s) showing Applicant's Mark or Products.

9. Representative press releases, articles, and clippings referring or relating to Applicant's Mark and/or Applicant's Products.

10. All documents referring or relating to any instances in which a person has confused or mistaken the identity, source, affiliation, or relationship between Opposer, the Opposer's Mark, and/or Opposer's Products on the one hand, and Applicant, Applicant's Products, and/or Applicant's Mark on the other hand.

11. All documents referring or relating to any instances in which any person (including but not limited to customers, distributors, retailers, licensees, members of the general public, members of the media, or any entity) has inquired or communicated about whether Applicant, the Applicant's Products, and/or Applicant's Mark are or were affiliated with, associated with, connected to, sponsored by, or otherwise related to Opposer, Opposer's Products, and/or Opposer's Mark.

12. Documents referring or relating to any objections Applicant has received from any third party concerning Applicant's use and/or registration of Applicant's Mark.

13. Documents referring or relating to agreements between Applicant and third parties concerning the use and/or registration of Applicant's Mark or referring or relating to any of Applicant's Products, including but not limited to, license agreements, consent agreements, coexistence agreements, assignments, settlement

agreements, distribution agreements, product development agreements, franchise agreements, and merchandising agreements.

14. Documents sufficient to identify all judicial, administrative, and legal proceedings in any forum concerning or involving Applicant's Mark and the status of each such proceeding.

15. Documents sufficient to show all forms and all manners of appearance in which Applicant has depicted, displayed, and/or used or intends to depict, display, and/or use Applicant's Mark, including but not limited to, all designs, logos, and stylizations.

16. All documents referring or relating to Opposer's Marks (excluding documents filed and served between the parties in connection with this opposition proceeding).

17. Documents sufficient to identify the classes or types of consumers of Applicant's Products.

18. Documents sufficient to identify the channels of trade for Applicant's Products.

19. Documents sufficient to identify all retail stores and distributors of Applicant's Products.

20. Documents sufficient to identify the annual sales revenues in units and dollars of each of Applicant's Products.

21. Documents sufficient to identify the annual advertising and promotional expenditures for each of Applicant's Products.

22. Documents referring or relating to industry or trade shows, professional organizations, meetings, conferences, conventions, forums, and lectures where Applicant has advertised, promoted, displayed, described, and/or demonstrated Applicant's Products.

23. All documents referring or relating to U.S. Application Serial Nos. 85913782, 76246171, 78446306, 78458785, and 85011284, including but not limited to all documents referring or relating to the prosecution of the applications before the U.S. Patent and Trademark Office.

24. All documents referring or relating to U.S. Registration No. 1841898, including but not limited to all documents referring or relating to the prosecution of the application or maintenance of the registration before the U.S. Patent and Trademark Office.

25. All documents referring or relating to the circumstances under which Applicant first became aware of Opposer, Opposer's Marks, and any of Opposer's Products, including the date when and how Applicant became aware of the foregoing and the persons most knowledgeable about the foregoing.

26. All documents evidencing, reflecting, supporting, or refuting the allegations, claims, and denials in Applicant's Answer to Notice of Opposition in this case.

27. All documents referring or relating to the corporate relationship (including but not limited to officers, directors, and organizational relationship) between Applicant; St. Pucchi, Inc. of Dallas, TX; St. Pucchi, Inc. of Los Angeles, CA; Rani Totman; and Montree Rajikitkul.

28. All documents supporting Applicant's claim in Paragraph 19 of its Answer that "Applicant's son acted without authority to file the referenced Application."

29. To the extent not already produced in response to these requests, all documents identified and referenced in Applicant's initial disclosures.

30. All documents referring or relating to any comparison between Applicant and Opposer, including but not limited to similarities or differences in their Marks or Products.

31. All documents not already provided in response to these Requests upon which Applicant will rely in this proceeding.

Respectfully Submitted,

Date: April 30, 2015

By: 

Julia Anne Matheson
Morgan E. Smith
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Avenue, N.W.
Washington, DC 2000
Tel: (202) 408-4000
Fax: (202) 408-4400

CERTIFICATE OF SERVICE

This will certify that a copy of the foregoing Opposer's First Set of Requests for the Production of Documents and Things has been served upon counsel for Applicant via Federal Express, postage prepaid, on this 30th day of April 2015, at the following address of record:

DARREN S. RIMER
RIMER & MATHEWSON LLP
30021 TOMAS, SUITE 300
RANCHO SANTA MARGARITA, CA 92688

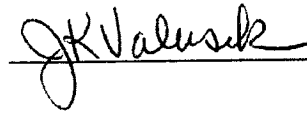


EXHIBIT B

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

EMILIO PUCCI INTERNATIONAL BV, Opposer, v. RANI SACHDEV, Applicant.	Opposition No.: 91215100 Serial No.: 85913782 Mark: ST. PUCCHI Filing Date: April 24, 2013
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OPPOSER'S FIRST SET OF INTERROGATORIES

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and Rule 2.210 of the Trademark Rules of Practice, Emilio Pucci International BV ("Opposer") requests that Rani Sachdev ("Applicant") serve upon Opposer sworn answers to the interrogatories set forth below within thirty (30) days after service. These interrogatories are intended to be continuing in nature and any information discovered after Applicant's answers are served should be brought to Opposer's attention through supplemental answers within a reasonable time following such discovery.

DEFINITIONS AND INSTRUCTIONS

For the convenience of the Board and the parties, Opposer requests that Applicant quote each interrogatory, document request, and request for admission in full immediately preceding each response.

A. The following definitions apply to all of Opposer's discovery requests:

(1) "Communication" means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise).

(2) "Document" is defined to be synonymous in meaning and equal in scope to the use of the term in Federal Rule of Civil Procedure 34(a) and shall mean any and all information in tangible or other form including electronically stored information, whether printed, typed, recorded, electronic, filmed, reproduced by any process, or written or produced by hand, and whether an original, draft, master, duplicate or copy, or notated version thereof, that is in Applicant's possession, custody, or control. A draft or non-identical copy is a separate document within the meaning of this term.

(3) "Person" is defined as any natural person or any business, legal, or governmental entity or association.

(4) In reference to a Person, "to identify" means to state, to the extent known, the Person's full name, present or last known home address, present or last known business address, and present or last-known title, position, and business affiliation. Once a Person has been identified in accordance with this subparagraph, only the name of that Person need be listed in response to subsequent discovery requesting the identification of that person.

(5) In reference to Documents, "to identify" means to state, to the extent known, the following:

(a) the type of Document;

displays associated therewith or on the tags or labels affixed thereto, or if the nature of the goods makes such placement impracticable, then on documents associated with the goods or their sale, and (B) the goods are sold or transported in commerce, and (2) on services when it is used or displayed in the sale or advertising of services and the services are rendered in commerce, or the services are rendered in more than one State or in the United States and a foreign country and the person rendering the services is engaged in commerce in connection with the services.”

(10) “Mark” means any trademark, trade name, commercial name, service mark, collective mark, certification mark, domain name, and other indicators covered by 15 U.S.C. § 1127, including all designations used to identify or distinguish one’s goods and/or services.

(11) “Applicant’s Mark” refers the mark ST. PUCCHI in any form, including but not limited to as shown in U.S. Trademark Application Serial No. 85913782.

(12) “Opposer’s Marks” refers to the marks identified in Paragraphs 1-6 of Opposer’s Notice of Opposition and variations thereof.

(13) “Products” refers to both goods and services.

(14) “Applicant’s Products” refers to all goods and services with which Applicant uses, has used, and/or has ever intended to use Applicant’s Mark, including but not limited to evening dresses, evening gowns, veils, wedding dresses, wedding gowns, and women's clothing (namely, shirts, dresses, skirts, and blouses), and/or all other products and services identified in response to Interrogatory No. 6 below.

(15) "Opposer's Products" refers to the products and services offered in connection with Opposer's PUCCI Marks, including without limitation the products and services identified in Opposer's Notice of Opposition.

B. The following rules of construction apply to all of Opposer's discovery requests:

(1) The terms "all" and "each" shall be construed as all and each as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.

(2) The connectives "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.

(3) The use of the singular form of any word includes within its meaning the plural form of the word and vice versa.

(4) The use of the masculine form of a pronoun includes also within its meaning the feminine form of the pronoun so used, and vice versa.

(5) The use of any tense of any verb includes also within its meaning all other tenses of the verb so used.

C. No part of an interrogatory can be left unanswered merely because an objection is interposed to another part of the interrogatory.

D. Where an objection is made to any discovery request, or sub-part thereof, state with specificity all grounds for the objection. Any ground not stated in an

objection within the time provided by the Federal Rules of Civil Procedure, or any extensions thereof, is waived.

E. Where a claim of privilege or work product is asserted in objecting to an interrogatory or document request, or sub-part thereof, and an answer is not provided on the basis of such assertion, the attorney asserting the privilege must in the objection to the interrogatory or document request, or sub-part thereof, identify the nature of the privilege being claimed; and provide the following information, unless divulgence of the information would cause disclosure of the allegedly privileged information:

- (1) For documents:
 - (a) the type of document;
 - (b) general subject matter of the document;
 - (c) the date of the document; and
 - (d) such other information as is sufficient to identify the document for a subpoena duces tecum, including the author of the document, the addressee of the document, and the relationship of the author to the addressee.
- (2) For oral communications:
 - (a) the name of the person making the communication, the names of persons present while the

communication was made, and the relationship of these persons;

- (b) the date and place of communication; and
- (c) the general subject matter of the communication.

F. If Applicant finds the meaning of any discovery request to be unclear, Applicant should assume a reasonable meaning, state what that meaning is, and respond to the request according to the assumed meaning.

G. Documents and things (including but not limited to electronically stored information) should be consecutively numbered and the numbers should be preceded by a prefix identifying the documents and electronically stored information originating from Applicant.

INTERROGATORIES

1. Identify all Marks that Applicant has used or registered (and/or ever intended to use or register) comprised of or containing ST. PUCCHI, PUCCHI, PUCCI, and/or any variations thereof.
2. Describe in detail the circumstances surrounding Applicant's selection and clearance of Applicant's Mark, including potential marks considered, the reasons Applicant selected its Mark, and the date when Applicant selected and cleared its Mark.
3. Identify all people who participated in Applicant's decision to select, adopt, and/or apply to register Applicant's Mark.
4. Identify all investigations, research, and searches that Applicant has ever conducted or had conducted concerning the availability for use and/or registration of Applicant's Mark or variations thereof.

5. State the date of first use anywhere and in U.S. commerce of Applicant's Mark.

6. Identify and describe each of Applicant's Products that have been marketed, distributed, and sold, and/or have ever been intended to be marketed, distributed, and sold under or in connection with Applicant's Mark.

7. Describe in detail the circumstances under which Applicant first became aware of Opposer, Opposer's Marks, and Opposer's Products, including but not limited to the date when Applicant became aware of each of the foregoing, and the person(s) most knowledgeable of the foregoing.

8. Describe in detail the channels of trade through which Applicant has marketed and sold, and/or or intends to market and sell, Applicant's Products.

9. Describe in detail the types or classes of purchasers to whom Applicant has marketed or intends to market Applicant's Products.

10. For each Product requested to be identified in Interrogatory No. 6, state the time periods in which Applicant's Mark has been used for each of Applicant's Products.

11. For each Product requested to be identified in Interrogatory No. 6, describe in detail the target markets and characteristics of targeted consumers.

12. Identify all retail stores, including but not limited to brick and mortar retail stores, department stores, warehouse stores, discount stores, and online retail websites that market or sell, and/or intend to market or sell, Applicant's Products.

13. Identify all retail stores, including but not limited to brick and mortar retail stores, department stores, warehouse stores, discount stores, and online retail websites that Applicant has contacted to market or sell Applicant's Products.

14. Describe in detail all instances in which a person has confused or mistaken the identity, source, affiliation, sponsorship or relationship between Applicant, any of Applicant's Products, or Applicant's Mark on the one hand, and Opposer, any of Opposer's Products, or Opposer's Marks on the other hand, and vice versa.

15. Identify all instances in which a person has inquired as to whether Applicant, any of Applicant's Products, or Applicant's Mark are or were affiliated with, connected to, endorsed by, sponsored by, or otherwise related to Opposer, any of Opposer's Products, or Opposer's Marks, and vice versa.

16. Identify all investigations, surveys, research, polls, focus groups, or opinions concerning confusion or the likelihood of confusion between Applicant's Mark and Opposer's Marks, between Applicant and Opposer, and/or between Opposer's Products and Applicant's Products that Applicant has ever had conducted or received.

17. Identify all communications, inquiries, or comments to or from any person referring or relating to Opposer's Marks.

18. For each year following the alleged first use date of Applicant's Mark, state the annual sales figures in units and dollars for Applicant's Products sold in connection with Applicant's Mark.

19. For each year following the alleged first use date of Applicant's Mark, state the amount of money spent annually on advertising and/or promoting Applicant's Products sold in connection with Applicant's Mark.

20. Identify all media (including but not limited to newspapers, magazines, trade journals, direct mail advertising, radio, television, and the Internet) in which Applicant has advertised and/or has ever intended to advertise each of Applicant's Products.

21. Identify the persons most familiar with Applicant's Mark, Applicant's Products, Applicant's sales advertising, promotion, and marketing, and/or intended sales, advertising, promotion, and marketing of Applicant's Products.

22. Identify all judicial, administrative, and legal proceedings in any forum concerning or involving Applicant's Mark and state the status of each such proceeding.

23. Identify all agreements (including but not limited to license agreements, settlement agreements, assignments, distribution agreements, product development agreements, franchise agreements, merchandising agreements, coexistence agreements, and consent agreements) Applicant has entered into referring or relating to Applicant's Mark and/or any of Applicant's Products.

24. Describe in detail any objections Applicant has received from any third party concerning Applicant's use and/or registration of Applicant's Mark.

25. Describe in detail the corporate relationship (including but not limited to officers, directors, and organizational relationship) between Applicant; St. Pucchi, Inc. of Dallas, TX; St. Pucchi, Inc. of Los Angeles, CA; Rani Totman; and Montree Rajikitkul.

26. State all facts supporting Applicant's claim in Paragraph 19 of its Answer that "Applicant's son acted without authority to file the referenced Application."

27. Identify each individual who supplied documents and things, or who participated in responding to these Interrogatories, Opposer's First Set of Requests for Production of Documents and Things, and Opposer's First Set of Requests for Admissions.

Respectfully Submitted,

Date: April 30, 2015

By: 

Julia Anne Matheson
Morgan E. Smith
FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.
901 New York Avenue, N.W.
Washington, DC 2000
Tel: (202) 408-4000
Fax: (202) 408-4400

CERTIFICATE OF SERVICE

This will certify that a copy of the foregoing Opposer's First Set of Interrogatories has been served upon counsel for Applicant via Federal Express, postage prepaid, on this 30th day of April 2015, at the following address of record:

DARREN S. RIMER
RIMER & MATHEWSON LLP
30021 TOMAS, SUITE 300
RANCHO SANTA MARGARITA, CA 92688

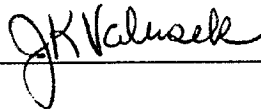


EXHIBIT C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

EMILIO PUCCI INTERNATIONAL BV, Opposer, v. RANI SACHDEV, Applicant.	Opposition No.: 91215100 Serial No.: 85913782 Mark: ST. PUCCHI Filing Date: April 24, 2013
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OPPOSER'S FIRST SET OF REQUESTS FOR ADMISSIONS

Pursuant to Rule 36 of the Federal Rules of Civil Procedure and Rule 2.120 of the Trademark Rules of Practice, Emilio Pucci International B.V. ("Opposer") serves this First Set of Requests for Admissions on Rani Sachdev ("Applicant"), and requests that Applicant respond to these requests within thirty days (30) days of service.

DEFINITIONS AND INSTRUCTIONS

Opposer incorporates by reference the definitions and instructions set forth in Opposer's First Set of Interrogatories.

REQUESTS FOR ADMISSIONS

1. Admit that each document Applicant has produced in this case is authentic for purposes of admission into evidence during the testimony periods in this opposition proceeding.
2. Admit that Applicant was aware of Opposer before selecting Applicant's Mark.

3. Admit that Applicant was aware of Opposer prior to filing Application Serial No. 85913782 seeking registration of Applicant's Mark.
4. Admit that Applicant was aware of Opposer before Applicant used Applicant's Mark in commerce.
5. Admit that Applicant was aware of Opposer before selecting the stylized form of Applicant's Mark.
6. Admit that Applicant was aware of Opposer's Marks before selecting Applicant's Mark.
7. Admit that Applicant was aware of Opposer's Marks before filing Application Serial No. 85913782 seeking registration of Applicant's Mark.
8. Admit that Applicant was aware of Opposer's Marks before Applicant used Applicant's Mark in commerce.
9. Admit that Applicant was aware of Opposer's Marks before selecting the stylized form of Applicant's Mark.
10. Admit that the pronunciation of PUCCI and PUCCHI is the same.
11. Admit that the pronunciation of PUCCI and PUCCHI could be the same.
12. Admit that Applicant's Mark sounds Italian.
13. Admit that Applicant's Mark is intended to sound Italian.
14. Admit that Applicant's Mark is an Italian surname.
15. Admit that Applicant's Mark is intended to evoke an Italian surname.
16. Admit that Applicant's Mark was selected for its Italian sound.
17. Admit that Applicant's Mark was selected for its Italian imagery.
18. Admit that Applicant's Mark was selected to suggest that Applicant's

products are of Italian origin.

19. Admit that Applicant's Mark was selected to evoke the idea of Italian fashion design.

20. Admit that Applicant's Mark sounds Italianate.

21. Admit that the stylized version of Applicant's Mark is intended to look like a handwritten signature.

22. Admit that the stylized version of Applicant's Mark is intended to evoke the image of a handwritten signature.

23. Admit that the stylized version of Applicant's Mark has the look and feel of a signature.

24. Admit that Applicant's Mark has the look and feel of a surname.

25. Admit that Applicant's Mark has the look and feel of an Italian surname.

26. Admit that Applicant's Mark is intended to evoke a person.

27. Admit that Applicant's Mark is intended to evoke an Italian person.

28. Admit that on www.stpucchi.com, Applicant uses Italian names and imagery to advertise Applicant's Products.

29. Admit that Applicant is not Italian.

30. Admit that Applicant is not from Italy.

31. Admit that Applicant's family is one of the largest lace purveyors in Thailand.

32. Admit that Applicant is from Thailand.

33. Admit that Applicant has no family connection with Italy.

34. Admit that Applicant has no ethnic connection with Italy.

35. Admit that Applicant's surname is not Pucchi.
36. Admit that Applicant's surname is not St. Pucchi.
37. Admit that no one in Applicant's company or employ has the surname Pucchi.
38. Admit that no one in Applicant's company or employ has the surname St. Pucchi.
39. Admit that U.S. Application No. 85011284 for the mark ST. PUCCHI was refused for likelihood of confusion with Opposer's U.S. Registration No. 3252030 for the mark PUCCL.
40. Admit that the mark depicted in U.S. Application No. 85011284 is identical to Applicant's Mark as depicted in U.S. Application No. 85913782.
41. Admit that Applicant's Products are similar to Opposer's Products.
42. Admit that Applicant's Products are high end apparel items.
43. Admit that Opposer's Products are high end apparel items.
44. Admit that both Applicant and Opposer market high end apparel items.
45. Admit that both Applicant and Opposer sell high end apparel items.
46. Admit that U.S. Application No. 85913782 does not limit the trade channels in which Applicant sells and markets its Products.
47. Admit that the channels of trade for Applicant's Products and Opposer's Products overlap.
48. Admit that Applicant's Products are advertised and promoted through the same channels of trade as Opposer's Products.
49. Admit that Applicant's Products are marketed at high price points.

50. Admit that Opposer's Products are marketed at high price points.
51. Admit that Applicant markets its Products to women.
52. Admit that Opposer markets its Products to women.
53. Admit that Applicant's Products are offered to the same type or class of consumers as Opposer's Products.
54. Admit that Applicant's Products are not sold in general department stores.
55. Admit that Applicant's Products are sold in exclusive boutiques.
56. Admit that Applicant's Products are sold exclusively in boutiques.
57. Admit that Applicant does not operate a store under the name or mark ST PUCCHI.
58. Admit that Opposer's Marks are well known to the general public.
59. Admit that Opposer's Marks are well known in the fashion industry.
60. Admit that Opposer's Marks were well known to the general public prior to the filing date of Applicant's Application Serial No. 85913782.
61. Admit that Opposer's Marks were well known in the fashion industry prior to the filing date of Applicant's Application Serial No. 85913782.
62. Admit that Opposer's Marks were well known to the general public prior to the April 15, 1985 first use date alleged by Applicant.
63. Admit that Opposer's Marks were well known in the fashion industry prior to the April 15, 1985 first use date alleged by Applicant.
64. Admit that Applicant's Mark is likely to dilute the distinctive quality of Opposer's Marks and trade name.
65. Admit that Applicant does not currently offer evening dresses under

Applicant's Mark.

66. Admit that Applicant did not offer evening dresses under Applicant's Mark on or before April 24, 2013.

67. Admit that Applicant does not currently offer evening gowns under Applicant's Mark.

68. Admit that Applicant did not offer evening gowns under Applicant's Mark on or before April 24, 2013.

69. Admit that Applicant does not offer women's shirts under Applicant's Mark.

70. Admit that Applicant did not offer women's shirts under Applicant's Mark on or before April 24, 2013.

71. Admit that Applicant does not offer ready-to-wear women's dresses under Applicant's Mark.

72. Admit that Applicant did not offer ready-to-wear women's dresses under Applicant's Mark on or before April 24, 2013.

73. Admit that Applicant does not offer women's skirts under Applicant's Mark.

74. Admit that Applicant did not offer women's skirts under Applicant's Mark on or before April 24, 2013.

75. Admit that Applicant does not offer women's blouses under Applicant's Mark.

76. Admit that Applicant did not offer women's blouses under Applicant's Mark on or before April 24, 2013.

77. Admit that Applicant does not offer ready-to-wear women's clothing under Applicant's Mark.

78. Admit that Applicant did not offer ready-to-wear women's clothing under Applicant's Mark on or before April 24, 2013.

79. Admit that Opposer has priority of use of Opposer's Marks in this case.

80. Admit that Applicant did not conduct a search for possibly conflicting marks before Applicant's selection of Applicant's Mark.

81. Admit that Applicant did not conduct a search for possibly conflicting marks before Applicant's first use anywhere of Applicant's Mark.

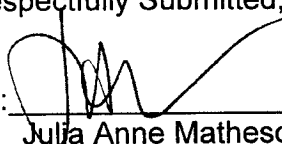
82. Admit that Applicant did not conduct a search for possibly conflicting marks before Applicant's first use in commerce of Applicant's Mark.

83. Admit that Applicant did not conduct a search for possibly conflicting marks before filing U.S. Application Serial No. 85913782.

Respectfully Submitted,

Date: April 30, 2015

By:

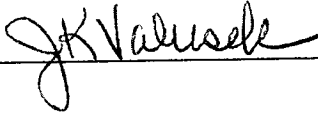


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CERTIFICATE OF SERVICE

This will certify that a copy of the foregoing Opposer's First Set of Requests for Admissions has been served upon counsel for Applicant via Federal Express, postage prepaid, on this 30th day of April 2015, at the following address of record:

DARREN S. RIMER
RIMER & MATHEWSON LLP
30021 TOMAS, SUITE 300
RANCHO SANTA MARGARITA, CA 92688



CERTIFICATE OF MAILING


Serial No.: 85/913,782



I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451 on the date indicated below::

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Express Mail No. _____ on the date indicated below and is addressed to the Assistant Commissioner of Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451.

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on 6/4/15
(Date) 
Signature

DARREN S. RIMER

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Motion for Protective Order;
2. Proof of Service;
3. Transmittal (in triplicate); and
4. Return postcard.

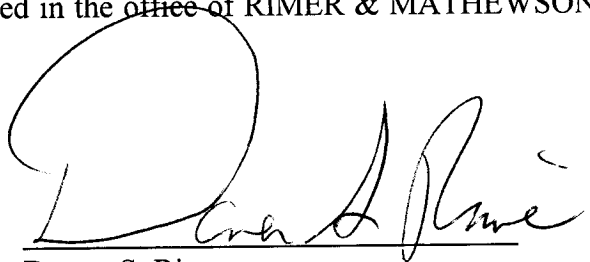
PROOF OF SERVICE

State of California)
) ss.
County of Orange)

I am over the age of 18 and not a party to the within action; my business address is 30021
Tomas, Suite 300, Rancho Santa Margarita, California 92688. On June 4, 2015, the attached
MOTION FOR PROTECTIVE ORDER was served on all interested parties in this action by U.S.
Mail, postage prepaid, at the address as follows:

JULIA ANNE MATHESON
FINNEGAN HENDERSON FARABOW GARRETT
& DUNNER LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001

Executed on June 4, 2015. I declare under penalty of perjury that the above is true and
correct. I declare that I am employed in the office of RIMER & MATHEWSON LLP at whose
direction service was made.

A handwritten signature in black ink, appearing to read "Darren S. Rimer", is written over a horizontal line.

Darren S. Rimer